

BOARD ACTION

December 19, 2006

	Agenda Updates: County Manager pulled Item 4 under Tab 3, in the County Manager's Consent Agenda, which was approval of request for payment of medical bill for inmate, because they need to adjust that figure and bring that back to the Board. The County Attorney wanted to add a request under his business to have a closed session in January. Commr. Cadwell added a presentation by Mr. Ron Macfarlane from Trout Lake Nature Center.	
APPROVED	Tab 1. Minutes of November 21, 2006 (Regular Meeting), as presented; November 28, 2006 (Regular Meeting), as presented.	WATKINS
APPROVED	Tab 2. Clerk of Courts= Consent Agenda, as follows: <ol style="list-style-type: none">1. Request to acknowledge receipt of list of warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office.2. Request to acknowledge receipt of: Before the Florida Public Service Commission: Notice of Continuation of Hearing to All Investor-Owned Electric and Gas Utilities and All Other Interested Persons. Docket No. 060001-EI – Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor. Docket No. 060362-EI – Petition To Recover Natural Gas Storage Project Costs Through The Fuel Cost Recovery Clause, By Florida Power & Light Company Docket No. 041291-EI – Petition For Authority To Recover Prudently Incurred Storm Restoration Costs Related To 2004 Storm Season That Exceed Storm Reserve Balance, By Florida Power & Light Company. Notice is hereby given that the Florida Public Service Commission announces the continuation of the fuel clause hearing from November 8, 2006 to December 8, 2006, in the above-referenced dockets at the following time and place: 9:30 a.m. (EST), Friday, December 8, 2006 Betty Easley Conference Center, Room 148 4075 Esplanade Way Tallahassee, Florida	WATKINS

	<p>3. Request to acknowledge receipt of Order Acknowledging Corporate Reorganization And Approving Name Change in re: Joint application for acknowledgment of corporate reorganization and request of name change on Certificate 268-S in Lee County from AquaSource Utility, Inc. dba Aqua Utilities Florida, Inc.; Docket No. 060643-WS; Order No. PSC-06-0973-FOF-WS; issued November 22, 2006.</p> <p>4. Request to acknowledge receipt of Meeting Notice – Southwest Florida Water Management District Governing Board Meeting Agenda for November 30, 2006, to be held at 9:00 a.m., at the Sarasota Service Office Board Room, 6750 Fruitville Road, Sarasota, FL 34240; and for December 1, 2006, to be held at 9:00 a.m. at the DeSoto County Commission Chambers, 201 E. Oak Street, Arcadia, FL 34266; and the Minutes of the Meeting held on September 12, 2006.</p> <p>5. Request to acknowledge receipt of Notification of Public Information Meeting by the Florida Department of Transportation regarding the SR 500 widening project, beginning at 5:30 p.m. on Wednesday, December 20, 2006, at the Lady Lake Municipal Complex, Town Council Chambers, 409 Fennell Boulevard, Lady Lake, Florida.</p> <p>6. Request to acknowledge receipt of Application of Aqua Utilities Florida, Inc. For Increased Rates, Increased or Revised Service Availability Charges, And For Approval of Allowance For Funds Prudently Invested Charges.</p>	
APPROVED	<p>Tab 3. Request from Budget for approval of the following:</p> <p>1. Budget transfer – Landfill Enterprise Fund, Department of Environmental Services, Hazardous Waste Division. Transfer \$80,000 from Reserve for Operations to Buildings. Funds are needed to purchase a new modular building (approximately 1,400 square feet) to replace a 15-year old single wide trailer. The trailer houses some of the Household Hazardous Waste staff of the Environmental Services Department. Facilities Management determined that the trailer is in need of replacement since needed repair work exceeds its value. Funds available in Reserve for Operations.</p> <p>2. Resolution No. 2006-228 to amend the County Library System Fund in order to receive unanticipated revenue for Fiscal Year 2006/2007 in the amount of \$275,000.00 deposited into Reimbursements and provide appropriations for the disbursement for Buildings. The County has received funding from Cagan Crossings, LTD., for the purpose of reimbursing additional construction costs incurred for the redesign of the Citrus Ridge Library facility located at the Cagan Crossings development.</p> <p>3. Resolution No. 2006-229 to amend the General Fund in order to</p>	FRAZIER

	receive unanticipated revenue for Fiscal Year 2006/2007 in the amount of \$10,221.00 deposited into Insurance Proceeds/Loss Furn/Fix/Eq and provide appropriations for the disbursement for Machinery and Equipment. The Board of County Commissioners was awarded \$10,221 in insurance proceeds for the vandalism and destruction of a vehicle.	
APPROVED	Tab 4. Request from Community Services for approval from the Lake County Health Department to adjust the approved budget for the Disease Management Program to include an Indirect Cost line item.	SMITH
APPROVED	Tab 5. Request from Environmental Services for authorization allowing the Board of County Commissioners to sign Amendment 1 amending the amount of the Local Funds for the FY 06/07 Annual Certified Arthropod Control Budget to reflect the actual approved FY 06/07 Mosquito Management Program Budget.	D. SMITH
APPROVED	Tab 6. Request from Environmental Services for approval of the payment of \$1,000.00 to Mr. Eugene Didion for partial reimbursement of the cost to remove two underground storage tanks, located in the County right-of-way. Also approve related budget transfer from Reserves in the amount of \$1,000.00.	D. SMITH
APPROVED	Tab 7. Request from Growth Management for approval and execution of a Release of Fine for Property owner: Javier and Margarita Castaneda, Jr., Code Case #2005040124, Commission District 5.	STRICKLIN
APPROVED	Tab 8. Request from Growth Management for approval and execution of a Release of Fine for Property owner: Marshall H. Gaard, Trustee, Code Case #2005070400 – Commission District 5.	STRICKLIN
APPROVED	Tab 9. Request from Growth Management for approval to advertise a proposed Ordinance amending Table 3.02.06 which will correct the scrivener's error found in Lake County Code, Appendix E, Land Development Regulations Section 3.02.06 Density, Impervious Surface, Floor Area and Height Requirements relative to density in the Urban Compact Node land use designation. It also adds "NET" to Maximum Density for A-1-20 and A-1-40.	STRICKLIN
APPROVED	Tab 10. Request from Growth Management for approval to advertise a proposed Ordinance amending Table 3.10.00 Road Frontage which will correct the scrivener's error found in Lake County Code, Appendix E., Land Development Regulations, Section 3.10.00, Road Frontage, referencing Section 14.11.01, Minor Lot Splits, and Section 14.11.02, Family Density Exception.	STRICKLIN

APPROVED	Tab 11. Request from Procurement for approval of the award for Phase II and Phase III of the contract for Digital Topographic Data and Digital Orthophotography to Kucera International, Inc. in accordance with RFP #06-003 in the amount of \$1,522,500.00.	SCHWARTZMAN
APPROVED	Tab 12. Request from Procurement for approval and execution of the Second Amendment to Contract 03-041 with Professional Engineering Consultant's, Inc. to include the evaluation of the Trout Lake/Hicks Ditch Drainage Basin and extend the agreement through March 31, 2008.	SCHWARTZMAN
APPROVED	Tab 13. Request from Public Works for to accept the final plat for Trinity Trail and all areas dedicated to the public as shown on the Trinity Trail plat. Trinity Trail consists of 4 lots and is located in Section 6, Township 29 South, Range 26 East – Commission District 5.	STIVENDER
APPROVED	Tab 14. Request from Public Works to approve and execute a purchase agreement with Suncraft Engineering and Construction Corporation for right-of-way, and authorization for the Chairman of the Board of County Commissioners to sign any and all documents necessary for closing, in conjunction with the C44/Bates Avenue (#5771) Intersection Project located in the Eustis area – Commission District 4.	STIVENDER
APPROVED	Tab 15. Request from Public Works to approve and sign Resolution No. 2006-230 to advertise Public Hearing for Vacation Petition No. 1093, Palmer Homes – John B. Palmer, Rep. Charles C. Hiott, P.E. – Farner Barley, to vacate a portion of drainage easement in the Plat of Grand Island Ridge – Commission District 4.	STIVENDER
APPROVED	Tab 16. Request from Public Works for approval and signature of Resolution No. 2006-231 to advertise Public Hearing for Vacation Petition No. 1101, John Palmer and Mehmet F. Baki, Rep. Bruce G. Duncan, to vacate a portion of Palm Avenue in the Plat of Fairview – Commission District 3.	STIVENDER
APPROVED	Tab 17. Request from Public Works for approval and signature of Resolution No. 2006-232 to advertise Public Hearing for Vacation Petition No. 1102, Carol Cleghorn and Hershel D. Cleghorn, to vacate utility easement in the Plat of Dora Pines – Commission District 4.	STIVENDER
APPROVED	Tab 18. Request from Public Works for approval and signature of Resolution No. 2006-233 to advertise Public Hearing for Vacation Petition No. 1103, Rheta J. Ross and Lowell A. Stokes, Rep. Jefferson G. Ray III, P.A., to vacate an unnamed road way located in Section 27, Township 19, Range 26 in the Tavares area – Commission District 3.	STIVENDER

APPROVED	Tab 19. Request from Public Works for authorization to accept the final plat for Sugarloaf Mountain Unit 2B and all areas dedicated to the public as shown on the Sugarloaf Mountain Unit 2B final plat, accept a performance bond in the amount of \$1,430,675.40, and execute a Developer's Agreement for Construction of Improvements between Lake County and SLCD, LLC. Sugarloaf Mountain consists of 87 lots and is located in Section 21, Township 21 South, Range 26 East – Commission District 3.	STIVENDER
APPROVED	Tab 20. Request from County Attorney for approval of Second Amendment to Lease Agreement for Suite #6 (2,500 square feet) and Suite #7 (3,000 square feet) for one additional month beginning December 3, 2006 and ending January 2, 2007.	MINKOFF
APPROVED	Tab 21. Request from County Attorney for approval of Letter of Renewal for lease agreement for the Sheriff's Office located at 902 Avenida Central, the Villages.	MINKOFF
APPROVED	Tab 22. Request from County Attorney for approval to advertise an Ordinance amending Chapter 13, Article IV and Section 13-147, Lake County Code to change the name "occupational license tax" to "local business tax" and the document received from a "license" to "receipt". (The County Attorney noted that there were a few small typographical type comments that have received from the Tax Collector, and they will incorporate those in the advertised version. He also wanted to state that that they are removing the requirement for a zoning clearance before paying the business tax.)	MINKOFF
APPROVED	Mr. Ronald Macfarlane, Treasurer, Trout Lake Nature Center, addressed the Board to update them on Trout Lake's project and requesting a letter of support to the Florida legislative delegation in support of Trout Lake Nature Center's funding request.	CADWELL
PRESENTATION	Mr. Fred Schneider, Director of Engineering, addressed the Board to give a presentation regarding an update on Minneola Ridge area transportation issues, which included looking at existing and proposed developments in the area as well as safety issues, intersection issues, access requirements, urban and rural roads, and short-term needs.	STIVENDER

APPROVED	Tab 23. - Request from Community Services for approval and execution for the issuance by the Orange County Housing Finance Authority of Multi-Family Housing Revenue Bonds for the proposed developments of Rolling Acres – Phase I (Resolution No. 2006-238) & II (Resolution No. 2006-239); Spring Lake Cove Phase I (Resolution No. 2006-240) & II (Resolution No. 2006-241); Laurel Oaks Phase I (Resolution No. 2006-242)& II (Resolution No. 2006-243)– Commission District 1 (Fruitland Park and Leesburg) and Commission District 5 (Lady Lake)	SMITH
APPROVED	Tab 24. Request from Community Services for approval of an agreement between Lake County Board of County Commissioners and LYNX to provide transportation express services in Clermont, Florida and the Four Corners area of South Lake County and for a budget transfer. This project will serve Commissioner Renick’s district.	SMITH
APPROVED	Tab 25. Request from Procurement for approval to award a contract in the amount of \$67,608.00 to the Rural Women’s Health Project for development and implementation of the Community Health Worker program	SCHWARTZMAN
APPROVED	Tab 26. Request from Public Works to accept a Maintenance Map for N. Cherry Lake Groves Road (#2024) – Commission District 2.	STIVENDER
APPROVED	Tab 27. PUBLIC HEARING – Approval of the 2006 Fire/Rescue Services MSTU Ordinance No. 2006-115.	CADWELL
APPROVED	Tab 28. PUBLIC HEARING – Receive comments and approve Public Housing Agency (PHA) Annual Plan for fiscal year 2006 and authorize Chairman to sign and certify for submission.	SMITH
APPROVED	Tab 29. PUBLIC HEARING – Approve and adopt adding Waiting List preferences for the current and future Waiting Lists for both Lake County and Leesburg for elderly-disabled, elderly, and disabled for the Lake County Section 8 Rental Assistance program. This is done by approving the revision to the Lake County Housing Agency Administrative Plan.	SMITH
APPROVED	Tab 30. PUBLIC HEARING - Vacation Petition No. 1083 and approval and execution of Resolution No. 2006-234 ; request to vacate tracts and rights of way, in the Plat of Monte Vista Park Farms, located in Sections 9 & 16, Township 23 S, Range 26 E, in the Clermont area – Commission District 2.	STIVENDER
APPROVED	Tab 31. PUBLIC HEARING - Vacation Petition No. 1098 and approval and execution of Resolution No. 2006-235 ; request to vacate a portion of an access, utility and drainage easement, located in Section 21, Township 18 S, Range 27 E, in the Umatilla area – Commission District 5.	STIVENDER

APPROVED	<u>Tab 32.</u> PUBLIC HEARING - Vacation Petition No. 1099 and approval and execution of Resolution No. 2006-236 ; request to vacate a right of way in the Plat of Groveland, located in Section 9, Township 23 S, Range 24 E, in the Groveland area – Commission District 2.	STIVENDER
POSTPONED UNTIL JANUARY 23	<u>Tab 33.</u> PUBLIC HEARING - Vacation Petition No. 1100 and approval and execution of resolution; request to vacate an unnamed right of way, in the Plat of Lake Highlands Company, located in Section 25, Township 22 S, Range 26 E, in the Clermont area – Commission District	STIVENDER
	REZONING – SEE MINUTES	

APPROVED	<p>REZONING CONSENT AGENDA, as follows:</p> <p><u>Tab 1. Ordinance No. 2006-116</u> Jack N. Blakemore, Jr. Rezoning Case No. PH 94-06-3 Tracking No. 125-06-Z. A (Agriculture) to R-1 (Rural Residential), as presented.</p> <p><u>Tab 2. Ordinance No. 2006-117</u> Patricia Mullin Rezoning Case No. PH 95-06-1 Tracking No. 128-06-Z R-1 (Rural Residential) to A (Agriculture) for the preservation of rural land and open space with low intensity uses, as presented.</p> <p><u>Tab 3. Ordinance No. 2006-118</u> Victor H. Majewski Rezoning Case No. PH 97-06-2 Tracking No. 129-06-CFD R-6 (Urban Residential District) to CFD (Community Facility District), as presented.</p> <p><u>Tab 4. Ordinance No. 2006-119</u> Timberwood Properties, Inc Steven J. Richey, P.A. Rezoning Case No. PH 96-06-1 Tracking No. 130-06-Z C-1 (Neighborhood Commercial) to R-3 (Medium Residential District) to allow for a single-family residential use, as presented.</p> <p><u>Tab 5. Ordinance No. 2006-120</u> First Baptist Church of Astor Bill (William) Chandler Rezoning Case No. PH 100-06-5 Tracking No. 127-06-CFD. R-6 (Urban Residential) and CP to CFD (Community Facility District) to expand an existing church, as presented.</p>	STRICKLIN
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DENIED	<u>Tab 6.</u> Mark R. Neese Agroflight Services Rezoning Case No. CUP 06/11/1-2 Tracking No. 119-06-CUP Conditional Use Permit in the Agriculture (A) Zoning District for a heliport and hangar for the storage of up to three helicopters.	STRICKLIN
APPROVED	<u>Tab 34.</u> Appointment of Major David Mass to represent the Chief Correctional Officer posted on the Public Safety Coordinating Council.	CADWELL
POSTPONED	<u>Tab 35.</u> Approval and execution of Resolution appointing members to the Affordable Housing Advisory Committee.	CADWELL
APPROVED	<u>Tab 36.</u> Appointment of the following individuals to four upcoming vacant positions on the Board of Building Examiners to serve four-year terms beginning January 15, 2007: Robert Woodward (Architect) William Lawson (Licensed Contractor) Jody Newman (Consumer) Thomas Quinn (At Large)	CADWELL
APPROVED	Request from County Attorney to hold a closed session to discuss litigation on January 16, 2007, at 10:00 a.m.	MINKOFF
APPROVED	Request from County Manager to cancel the BCC Meeting of January 2, 2007, and to put the Regular Agenda on January 9.	HALL
APPROVED	Request from County Manager for consensus from the Board to go forward and do due diligence in looking into purchasing property on Alfred Street to alleviate some of the County's space needs as they move forward with the construction of new buildings and the Judicial Center.	HALL
FOR YOUR INFORMATION	Commr. Renick discussed the possibility of staff looking into a code change expanding notification of public hearings that concern citizens in those areas.	RENICK
FOR YOUR INFORMATION	Commr. Stivender thanked everyone that came to the Boundless Playground opening on Thursday, December 14, and that it went very well.	STIVENDER

FOR YOUR INFORMATION	Commr. Stivender stated that the ABC Committee for the School Board had a meeting the night before, December 18, with the School Board to present their options for the zoning boundaries, and there was discussion by some of the parents in the Vistas that they would like the road that comes out on Lake Louisa Drive to be closed because of safety and traffic issues. The Committee determined that closing the road would add an additional four minutes to the bus route, and whatever the BCC wishes to do regarding that would be alright with the School Board.	STIVENDER
FOR YOUR INFORMATION	Commr. Stewart thanked the PLAAC Committee for their support in purchasing the Neighborhood Lakes property, and that that was a critical piece of land to be purchased.	STEWART
FOR YOUR INFORMATION	Commr. Cadwell thanked the employees and the Board for their support of the Giving Toy Box, and that 380 families with 1100 children participated.	CADWELL
APPROVED	<u>Tab 37.</u> 2007 Liaison/Membership Appointments, including Resolution No. 2006-237 , appointing Commr. Stivender to the Tourist Development Council.	CADWELL
	<u>CITIZEN QUESTION AND COMMENT PERIOD</u> - No one present wished to address the Board.	